

ORDINANCE NO. 2519

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AMENDING THE LAND DEVELOPMENT CODE OF GILBERT, ARIZONA, CHAPTER 1 ZONING REGULATIONS, DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.2 OFF-STREET PARKING AND LOADING REGULATIONS, SECTION 4.204 NUMBER OF PARKING SPACES REQUIRED, TABLE 4.204: OFF-STREET PARKING REQUIREMENTS, RELATED TO SINGLE FAMILY DEVELOPMENT GUEST PARKING; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, Gilbert strives to foster and maintain the qualities of a safe, healthy, clean, attractive and family-oriented community; and

WHEREAS, the primary mode of transportation in the region is personal vehicle and the adequacy and effectiveness of facilities for personal vehicles, such as parking areas, significantly influences the overall efficiency and safety of the Gilbert's transportation systems; and

WHEREAS, the Council has determined that subdivision design issues unique to compact single family residential development warrant additional guest parking regulation and design review so as to ensure a safe and efficient minimum level of guest parking; and

WHEREAS, the Council has determined that the proposed Land Development Code text amendment will provide for the efficient regulation of single family development guest parking, and it is in the best interest of the public health, safety and general welfare of the Town to adopt the proposed text amendment; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

The Land Development Code of Gilbert, Arizona, Chapter 1 Zoning Regulations, Division 4 General Regulations, Article 4.2 Off-Street Parking and Loading Regulations, Section

4.204 Number of Parking Spaces Required, Table 4.204: Off-Street Parking Requirements, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

4.204 Number of Parking Spaces Required

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Table 4.204: Off-Street Parking Requirements

<i>Use Classification</i>	<i>Requirement (Gross Floor Area)</i>
* * *	
Residential, Permanent	
<i>Single Family (on-street parking permitted)</i>	2 enclosed spaces per unit. Residential uses in the Heritage District may provide 2 unenclosed spaces on-site.
<i>Single Family (no on-street parking)</i>	2 enclosed spaces per unit; plus .25 guest spaces per unit; PLUS 6 GUEST SPACES AT THE PRIMARY ACTIVE OPEN SPACE AND 3 GUEST SPACES AT EACH SECONDARY ACTIVE OPEN SPACE. Residential uses in the Heritage District may provide 2 unenclosed spaces on-site.
SINGLE FAMILY, LOT WIDTH IS LESS THAN 55'	2 ENCLOSED SPACES PER UNIT; PLUS 0.5 GUEST PARKING SPACES PER UNIT; PLUS 0.5 GUEST PARKING SPACES PER UNIT THAT DOES NOT PROVIDE A MINIMUM OF 80 SQUARE FEET OF ADDITIONAL ENCLOSED PARKING AREA; PLUS 6 GUEST SPACES AT THE PRIMARY ACTIVE OPEN SPACE AND 3 GUEST SPACES AT EACH SECONDARY ACTIVE OPEN SPACE. ALL REQUIRED GUEST PARKING SPACES MUST BE STRIPED AND EQUALLY DISTRIBUTED THROUGHOUT THE DEVELOPMENT, AS APPROVED ON THE PARKING PLAN; REQUIRED DWELLING UNIT GUEST PARKING SPACES SHALL BE LOCATED WITHIN 250' OF THE DWELLING UNIT'S FRONT LOT LINE, AS MEASURED BY THE PEDESTRIAN ROUTE. PARKING PLAN DESIGN REVIEW APPROVAL REQUIRED.
OR	
SINGLE FAMILY, LOT DRIVEWAY LENGTH IS LESS THAN 20'	
<i>Multi-Family</i>	1 space per 1-bedroom/studio unit; 2 spaces per 2 or more bedroom units; all plus .25 guest spaces per unit 1 space per unit shall be covered, of which 25% shall be enclosed.

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Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV. Providing for Penalties

Any person found responsible for violating the provisions set forth in this ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 5.1205 and 5.1206 of the Town of Gilbert Land Development Code. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Zoning Code or by the Town of Gilbert Municipal Court continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 15th day of January, 2015, by the following vote:

AYES: E. Cook, J. Daniels, J. Lewis, B. Peterson, J. Ray, J. Taylor

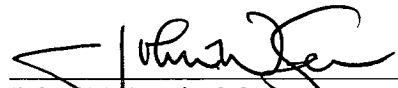
NAYES: V. Petersen

ABSENT: none

EXCUSED: none

ABSTAINED: none

APPROVED this 15TH day of JANUARY, 2015.



John W. Lewis, Mayor

ATTEST:



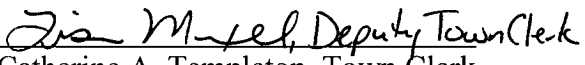
for Catherine A. Templeton, Town Clerk

APPROVED AS TO FORM:



L. Michael Hamblin, Town Attorney

I, CATHERINE A. TEMPLETON, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2519 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 15TH DAY OF JANUARY, 2015, WAS POSTED IN FOUR PLACES ON THE 22nd DAY OF JANUARY, 2015.


for Catherine A. Templeton, Town Clerk